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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**
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13 UNITED STATES OF AMERICA,
14
15 Plaintiff,
16
17 v.
18
19 DEVIN MICHAEL HORNICK,
20
21 Defendant.

Case No. 2:22-mj-00940-NJK

**STIPULATION TO CONTINUE
BENCH TRIAL**

22 IT IS HEREBY STIPULATED AND AGREED, by and between Jason Frierson, United
23 States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the United
24 States of America, and Andrew Wong, counsel for Devin Michael Hornick, that the bench trial
25 scheduled for May 31, 2023 be continued at least 30 days to the Court's next petty offense
26 calendar.

The Stipulation is entered into for the following reasons:

1. The parties have resolved this case.
2. Mr. Hornick lives and works in Orange County, California. He needs additional time to make travel arrangements to appear in-person in Las Vegas for his change of plea.
3. The government does not object to continuing Mr. Hornick's bench trial/change of plea.

This is the first request for a continuance.

1 DATED: May 10, 2023.

2 By /s/ Andrew Wong
3 Andrew Wong
Counsel for Devin Michael Hornick

JASON FRIERSON
United States Attorney

4 By /s/ Imani Dixon
5 Imani Dixon
6 Assistant United States Attorney
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEVIN MICHAEL HORNICK,

Defendant.

Case No. 2:22-mj-940-NJK

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

The Stipulation is entered into for the following reasons:

1. The parties have resolved this case.
2. Mr. Hornick lives and works in Orange County, California. He needs additional time to make travel arrangements to appear in-person in Las Vegas for his change of plea.
3. The government does not object to continuing Mr. Hornick's bench trial/change of plea.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly resolve this case, taking into account the exercise of due diligence.

ORDER

IT IS FURTHER ORDERED the bench trial set for May 31, 2023 at 9:00 am is vacated and set for a change of plea on: July 5, 2023, at 9:00 a.m. in Courtroom 3C.

DATED: May 12, 2023


UNITED STATES MAGISTRATE JUDGE